

HUMAN SERVICES DEPARTMENT[441]

Notice of Termination

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services hereby terminates rule-making proceedings under the provisions of Iowa Code section 17A.4(1)“b” for proposed rule making relating to Chapter 36, “Facility Assessments,” Iowa Administrative Code.

Notice of Intended Action was published in the Iowa Administrative Bulletin on June 29, 2011, as **ARC 9591B**. The Notice proposed to raise the amount of the assessment fee charged to an intermediate care facility for persons with mental retardation (an ICF/MR) from 5.5 percent to 6.0 percent of the facility’s revenue, as allowed under Iowa Code section 249A.21. The assessment has been limited to 5.5 percent of revenues due to a provision of Public Law 109-432, the Tax Relief and Health Care Act of 2006, which expires on September 30, 2011.

However, this action was not included in the cost containment measures approved by the General Assembly in 2011 Iowa Acts, House File 649, section 10, subsection 20(a). Therefore, the Department is not proceeding with this rule making. The technical changes that were included in the Notice of Intended Action have been included in the Notice of Intended Action published in this issue as **ARC 9731B**.